

RH Oct 6/09

DISTRICT OF SAANICH
SUPPLEMENTAL REPORT

Mayor
Councillors
Administrator
Com. Assoc.
Applicant
Front Counter
[Handwritten initials: TN, CD, CMAA, DD, AT, EB]

Report To: MAYOR AND COUNCIL
Date: OCTOBER 6, 2009
From: ANNE TOPP, MANAGER OF COMMUNITY PLANNING
Subject: COMPREHENSIVE REZONING APPLICATION AND SITE SPECIFIC DEVELOPMENT PERMIT FOR APARTMENT HOUSING. REZ00434; DPR00418

Project Details

Project Proposal: The applicant proposes to rezone from P-1 and P-3 to a new site specific zone to include care facilities, apartment, townhouse and office. A parcel to be created would be zoned P-4 Recreation and Open Space (Park).
Address: 3806 & 3818 Carey Road and 100 & 108 Cadillac Avenue
Legal Description: Lot 2, Section 24, Victoria District, Plan VIP73602
Lot 1, Sections 14 and 24, Victoria District, Plan VIP73602
Lot 1, Block 3, Section 24, Victoria District, Plan 877
Lot 2, Block 3, Section 24, Victoria District, Plan 877
Owner: Capital Regional Hospital District
Applicant: City Spaces Consulting Ltd.
Application Received: February 4, 2009
Parcel Size: 3.33 ha (8.20 ac) or 33,379 m² (33,181 m² after Road Dedication)
Existing Use of Parcel: Vacant land (former Mount View Secondary School)
Existing Use of Adjacent Parcels: North: Single Family Dwelling (RS-6)
South: Single Family Dwelling (RS-4 & RS-6)
East: Apartment (RA-2)
West: Apartment (RA-3) & Single Family Dwelling (RS-6)
Current Zoning: P-1 (Assembly) and P-3 (Personal Care)
Proposed Zoning: New Comprehensive Development Mount View Zone (CD-2 MV) and New Residential Personal Care Zone (RP-3), and P-4 (Recreation and Open Space Zone)
Local Area Plan: Carey
LAP Designation: Institutional
Community Assn Referral: Mount View Colquitz Community Association (Letters received March 2, 2009 and June 18, 2009)

Background

At the meeting of September 14, 2009 Council considered the Planning Report dated August 31, 2009 and forwarded the rezoning of the Mount View parcel to Public Hearing.

In response to Council discussion at the Committee of the Whole meeting the applicants have proposed a number of amendments to the details of the application. In addition, on further review of the details of the project the Planning Department is suggesting a further control on the siting of underground structures.

Proposed Amendments

The amendments proposed by the applicant address the market office/residential building, LEED construction, and the Carey Road sidewalk design.

The changes proposed to the market office residential building on proposed Development Area B are contained in the proposed Zoning schedule 1710 Comprehensive Development Mount View Zone (CD-2MV). The changes include:

- reduce the building from eight storeys to seven storeys;
- reduce the maximum height of the building from 35 m to 31 m;
- reduce the maximum gross floor area from 8006 m² to 6805 m²; and
- increase the setback of the proposed building where the building exceeds two stories to a setback of 9.5 m for storeys three through six inclusive, and a setback of 12.5 m for storey seven.

The applicants are proposing that buildings proposed for construction on the proposed comprehensive zoned site be designed and built to a minimum LEED standard or an equivalent energy and environmental performance standard. The supportive housing proposal is not included in the commitment to LEED because this building will re-use modular units from the 2010 Olympic and Paralympics Games.

The Carey Road sidewalk requirements have undergone further review with the objective of creating a more attractive streetscape. The proposed sidewalk cross section indicates a boulevard adjacent to the curb within the public right of way and the 2.5 m sidewalk in a pedestrian access right of way across the private property.

A refinement in wording to the setback requirements for possible future underground parking in Development Area A and B is proposed. The wording has been simplified and in addition Planning is proposing that the words "and or structure" be added after underground parking. In addition to ensure that in respect to the pedestrian path across the site, the proposed tree planting can accommodate large growing trees, the setback from the proposed pedestrian right of way for underground parking and structures, should also be included in a covenant

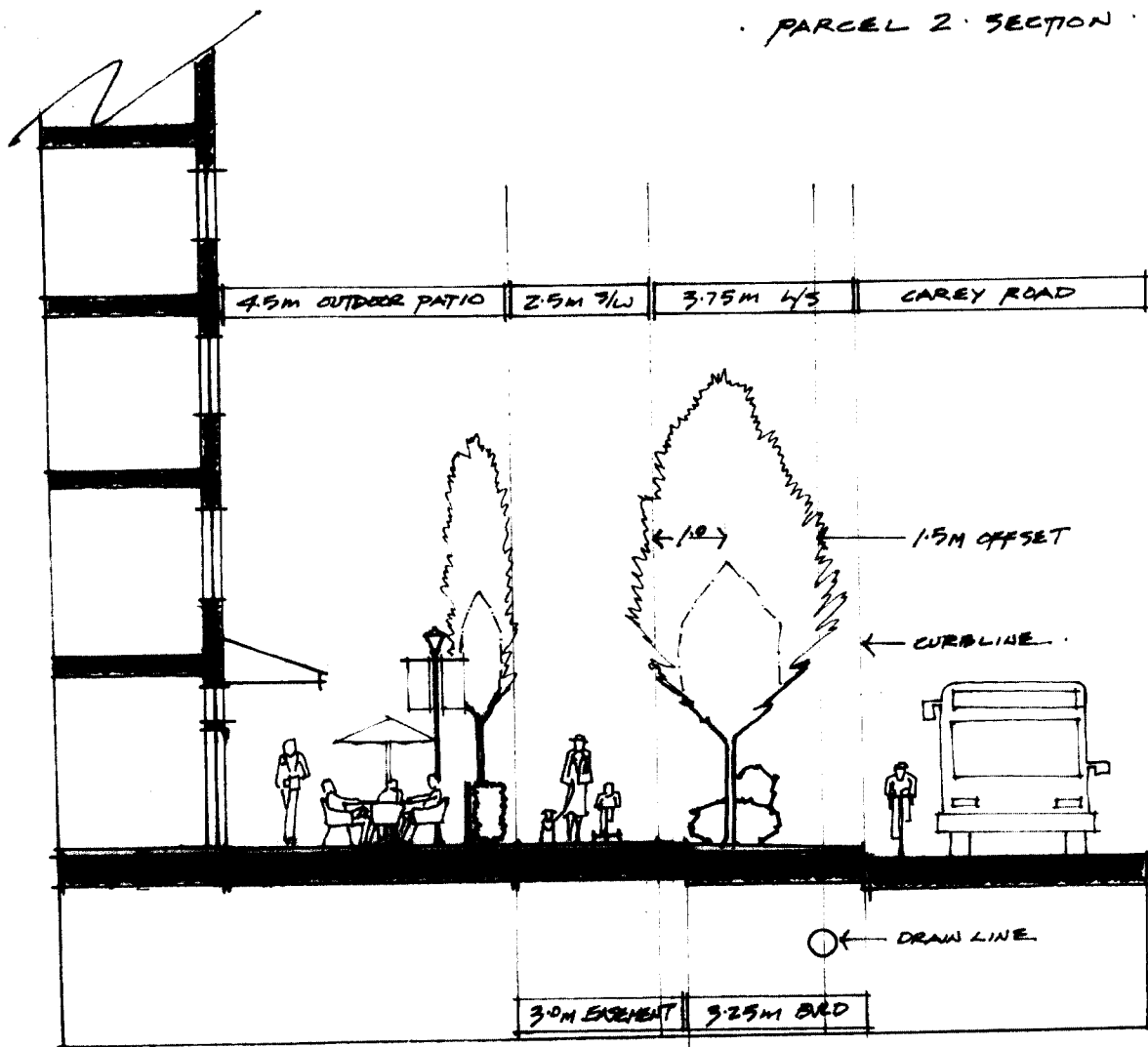
Discussion

The proposed changes to the market office/residential building are an improvement from what was considered at Committee of the Whole. The permitted uses and location at the edge of the Uptown Major Center has not changed, and the building still has considerable height and mass as a market building in a residential neighbourhood. However, the proposed reduction in floor space ratio, height, number of storeys, and maximum gross floor area and the stepped increase in setbacks for upper storeys along the Carey Road frontage will result in a building that will not

overshadow the street to the same degree. All of these changes combine to create an improvement and represent a 15% reduction in massing.

The proposal to include a covenant for LEED or an equivalent energy and environmental performance standard for the proposed new buildings (excluding the supportive housing project) is similar to what has been considered for other recent applications. This is supportable.

The Carey Road sidewalk proposal is the result of staff concern about both the above ground and underground service infrastructure and the applicants desire to create an attractive streetscape fronting the development. The concept proposal illustrated below with the sidewalk within a pedestrian right of way is acceptable because it achieves a wide boulevard and appropriate sized trees will be possible. At detailed design stage careful siting of the boulevard trees will be required to minimize impact on underground services. In addition future construction will require an "engineered soils" approach to ensure the site landscaping has sufficient soil to support the proposed landscaping. The aesthetic value of the streetscape created by large trees, and the value of trees as part of the municipal infrastructure, in terms of stormwater management and climate change is relatively new and quickly becoming part of current practice.



The proposed amendments to the clause requiring set backs for underground parking and structures is related to considering trees as part of the municipal infrastructure and therefore the requirement to ensure there is sufficient space to accommodate them. The proposed setbacks contained within the proposed zones address this. In addition a covenant clause is proposed to ensure the trees lining the proposed public walkway from Carey Road to the proposed park will not be impacted by an underground structure being located up to the right of way. This has been added to the listing of items for further consideration and is proposed only as a further regulatory safeguard in respect to the pedestrian environment of the walkway.

Summary

The proposed changes are supportable in respect to; the reduction in size of proposed office/residential building on Development Area B, the commitment to LEED or equivalent, the principle of the side walk and boulevard cross section illustrated and the refinement of the wording and covenant requirement for the siting of underground parking and structures.

The changes and or additions to the recommendations are shown in bold and the list of outstanding issues has been incorporated into Recommendation 8. A couple of recommendations relating to boulevard trees have been removed because they are not required with the new concept. The majority of the changes are contained within the proposed comprehensive zone schedule.


RECOMMENDATION:

1. That the Sustainable Saanich Official Community Plan Map 6 & 7 and the Carey Local Area Plan, Maps 9.3, 10.1, 12.1, & 14.1 be amended.
2. That the Zoning Bylaw 2003 be amended to include a new Residential Personal Care Zone (RP-3).
3. That rezoning of proposed Lot A as shown on a plan of subdivision of Lots 1 & 2, Section 14 & 24, Victoria District, Plan VIP73602 (shown on Concept Plan as Parcel 3) to Residential Personal Care Zone (RP-3) be approved.
4. That an access easement over proposed Lot B (Concept Plan Parcel 4) as shown on a plan of subdivision of Lots 1 & 2, Section 14 & 24, Victoria District, Plan VIP73602 in favour of proposed Lot A (concept plan Parcel 3) be registered prior to final reading of the zoning of this parcel to Personal Care Zone RP-3.
5. That Development Permit DPR00418, for the supportive housing (Concept Plan Parcel 3) be approved.
6. That Zoning Bylaw 2003 be amended to include a new Comprehensive Development Mount View Zone (CD-2 MV) with the revisions as presented.
7. That the rezoning of the areas shown on the Concept Plan as Parcels 1, 2 and 4 to Comprehensive Development Mount View Zone (CD-2 MV) be approved.
8. That prior to final reading of the rezoning to Comprehensive Development Mount View Zone that the following outstanding issues be addressed through covenants, rights-of-way and/or other mechanisms to the satisfaction of the Director of Planning.

- Establish the timing of required sidewalk, crosswalk, bus shelter, left turn lane, Cadillac Avenue improvements, underground servicing
- Confirm the size and timing of park dedication
- Confirm the \$175,000 amount and timing of park development amenity contribution
- Ensure pedestrian access rights of way registration and construction timing of identified pedestrian walk ways throughout the site
- **Register a pedestrian access right of way along the Carey Road frontage and specify sidewalk construction timing along the Carey Road frontage**
- Require underground parking and/or structures to be sited 3 m from to the Carey Road property line and **register a covenant to require a 3 m setback from the on-site public pathways excluding the proposed new sidewalk fronting Carey Road**
- Protect the critical root zone for existing Garry oak and London Plane trees on the north and south boundaries
- Require design review, similar to that required for a Development Permit for all institutional buildings with reference to Saanich General Development Permit Guidelines and the Guidelines dated May 2009 provided by the applicant
- Remove the existing covenant prohibiting building following dedication and or transfer of the park land to Saanich
- Prohibit vehicular access through the site from one driveway at Carey Road to the other driveway at Carey Road
- Identify general siting of buildings to preserve green space and view corridors
- Incorporate the density, site area, and building setback information as provided in the draft Comprehensive Development zone.
- **Register a covenant requiring LEED or an equivalent energy and environmental performance standard for the proposed new buildings excluding the supportive housing project**

9. That rezoning of the area described as Parcel 6 to P-4 Park Zone be approved.

Report prepared &
signed by:



Anne Topp, Manager of Community Planning

AT/vnb

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Attachment

cc: T. Wood, Municipal Administrator
N. Jablanczy, Manager, Inspection Services

ADMINISTRATOR'S COMMENTS:

I endorse the recommendations of the Manager of Community Planning.


for Tim Wood, Administrator

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| SCHEDULE 1710 COMPREHENSIVE DEVELOPMENT MOUNT VIEW ZONE (CD-2 MV) |
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1710.1 Development Areas

This zone contains regulations that apply to all areas within the zone and in addition the zone is divided into Development Areas A, B and C, as shown on the attached plan forming part of this zone schedule.

1710.2 Definitions

In this zone:

“Accessory Dwelling Unit” means a dwelling unit that is accessory to and contained within the principal dwelling unit and may have a separate private access at ground level and is not a separate strata lot.

“Floor Space Ratio” means the gross floor area, excluding those portions located more than 1.5 m (4.9 ft) below finished grade divided by the area of the Development Area.

“Gross Floor Area” means the sum of the total floor area on a Development Area of each storey in each building measured to the outside face of the exterior walls; excludes the areas of canopies, sundecks, outside stairs, concealed parking, separate and attached carports and garages.

“Residential Care” means use of a building to provide long term physical, emotional and social care for persons with chronic or progressive conditions, primarily due to the aging process.

“Storey” means the portion of a building which lies between the surface of any floor and the surface of the next floor above it, or if there is no floor above it, then the space between the floor and the ceiling or roof next above it.

“Underground parking” means off street parking which is located within a structure located below grade.

1710.3 Lot Coverage

The maximum coverage of all buildings and structures on the lot shall be 35% of the lot area.

1710.4 Setbacks

Buildings and structures shall be sited not less than:

- (a) 7.5 m from Carey Road
- (b) 10.0 m from Homer Road and Kamloops Ave and Lot A, Plan 8305 Section 24, Victoria District and Lot 12, Plan 8700, Section 24, Victoria District
- (c) 10.0 m from any lot line abutting a P-4 Zone where the use is congregate care
- (d) 7.5 m from any lot line abutting a P-4 Zone where the use is apartment

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| SCHEDULE 1710 COMPREHENSIVE DEVELOPMENT MOUNT VIEW ZONE (CD-2 MV) |
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- (e) 22 m from any lot line abutting Lot B and C, Plan 76341, Section 24, Victoria District
- (f) 7.5 m from any lot line that is not specifically provided for under ss (a) to (e) of this section

1710.5 Accessory Buildings and Structure

- (a) Accessory Buildings and Structures shall be sited not less than:
 - (i) 7.5 m from any lot line which abuts a street
 - (ii) 3 m from any lot line that abuts a park
 - (iii) 1.5 m from any lot line that does not abut a street or a park
- (b) Shall not exceed a height of 3.75 m
- (c) Together shall not exceed a lot coverage of 5%

1710.6 Accessory Off-street Parking

Accessory Off-street parking use shall be in accordance with Section 7 of this bylaw except as specified within Development Area A, Development Area B, and Development Area C.

1710.7 Minimum Lot Size

- a) No land shall be subdivided into lots having an area less than 2500 m²
- b) Panhandle lots are permitted
- c) A parcel within the area identified as Development Area C as shown on the attached plan forming part of this zone schedule is permitted to be created with a road frontage of less than 10% of the perimeter

1710.8 General

The relevant provisions of Section 5, 6, and Schedule B and F of this bylaw shall apply.

1710.9 Development Area A

- (a) The following uses are permitted:
 - (i) Apartment
 - (ii) Congregate Housing
 - (iii) Residential Care
 - (iv) Retail Sales, Office and Personal Service incidental to a permitted use
 - (v) Accessory Buildings and Structures
- b) Density for all buildings and structures shall not exceed a Floor Space Ratio of 1.59.

SCHEDULE 1710 COMPREHENSIVE DEVELOPMENT MOUNT VIEW ZONE (CD-2 MV)

- (c) Buildings and structures for a Residential Care building
 - i) Shall be limited to not more than one
 - ii) Shall not exceed a maximum gross floor area of 16,100 m²
 - iv) Shall not exceed seven storeys
 - v) Shall not exceed a height of 31 m

- (d) Buildings and structures for a Congregate Care and or Apartment building
 - i) Shall be limited to not more than two
 - ii) Shall not exceed a total maximum gross floor area of 11,705 m²
 - iii) Shall not exceed six storeys and a height of 24 m for Congregate Care use
 - iv) Shall not exceed four storeys and a height of 12 m for Apartment use

- f) Accessory Off-Street Parking
 - i) Not less than 15% of the required parking must be provided at grade.
 - ii) Not more than 85% of the required parking must be provided underground.
 - iii) A covered loading area for handi-dart vehicles must be provided near the front entrance of each building.
 - iv) One disabled persons parking space shall be provided at grade for every 25 spaces required.
 - v) One loading bay shall be provided at grade.
 - vi) Underground parking and **or structures** shall not be permitted within 3 m of Carey Road, a park parcel, or a right-of-way for **public** pedestrian access.

1710.10 Development Area B

- (a) The following uses are permitted:
 - (i) Office
 - (ii) Apartment
 - (iii) Restaurant
 - (iv) Retail Sales of Goods and Services
 - (v) Accessory Buildings and Structures

- (b) Density for all buildings and structures shall not exceed a **Floor Space Ratio of 1.80**

- (c) Buildings and structures:
 - i) Shall be limited to not more than one building
 - ii) Shall not exceed a maximum gross floor area of **6,805 m²**
 - iii) Shall not exceed **seven** storeys
 - (iv) Shall not exceed a height of **31 m**
 - (v) The combined gross floor area for restaurant and or retail sales of goods and services shall not exceed 420 m² (4520 ft²)
 - (vi) Where a building exceed two storeys in height, the setback from Carey Road for storeys three through six inclusive shall be 9.5 m, and set back from Carey Road the seventh storey shall be 12.5 m.**

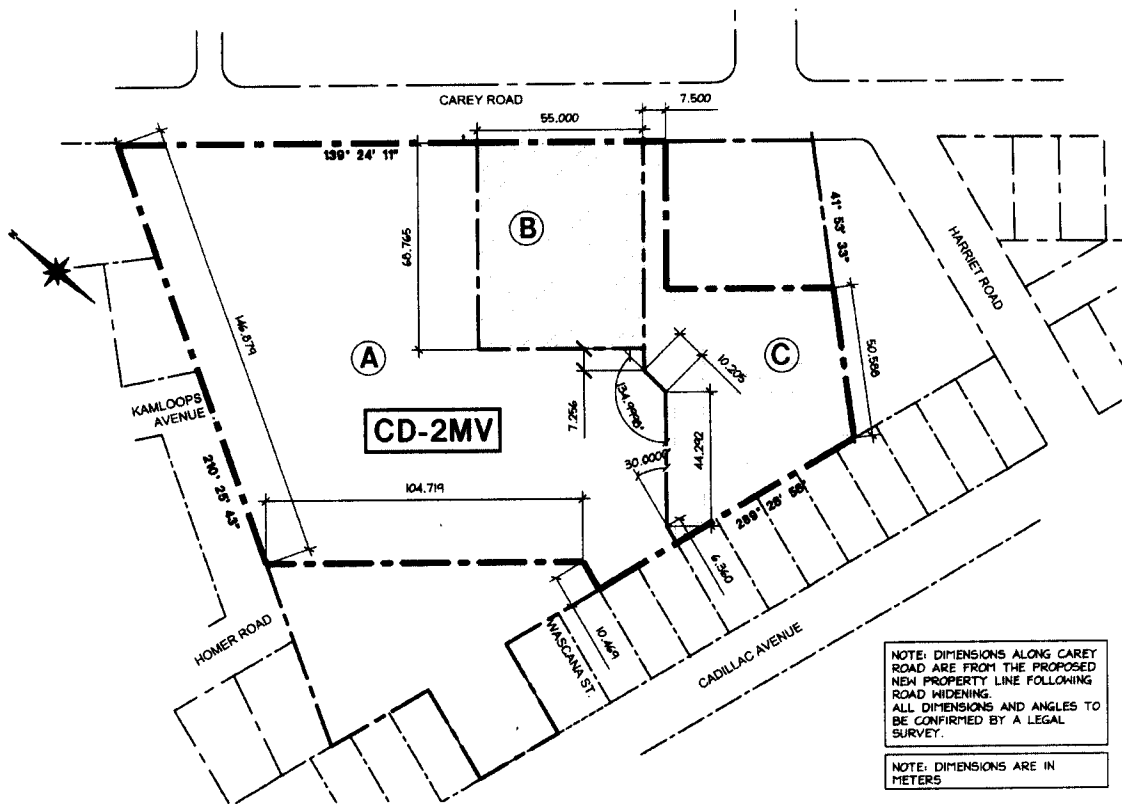
SCHEDULE 1710 COMPREHENSIVE DEVELOPMENT MOUNT VIEW ZONE (CD-2 MV)

- (d) Off Street Parking
 - i) Parking will be provided underground
 - ii) Not more than 12 parking spaces shall be provided at grade
 - iii) One Disabled persons parking space shall be provided at grade of the required disabled persons parking space
 - iv) One loading bay shall be provided at grade
 - v) Underground parking and or structures shall not be permitted within 3 m of Carey Road or a right-of-way for public pedestrian access

1710.11 Development Area C

- (a) The following uses are permitted:
 - (i) Attached Housing
 - (ii) Accessory Dwelling
 - (iii) Accessory Buildings and Structures
- (b) Density for all Buildings and Structures shall:
 - i) not exceed a Floor Space Ratio of 0.6
 - ii) not exceed 14 Attached housing units
 - iii) not exceed four Accessory Dwelling units
- (c) An Accessory Dwelling Unit shall:
 - (i) not occupy more than 40% of the gross floor area for the principle dwelling unit within which it is located
 - (ii) not be a separate strata lot
- (d) Buildings and Structures for an Attached Housing use shall:
 - i) not exceed three storeys
 - ii) not exceed a height of 12 m
- (e) Off Street Parking
 - i) No parking spaces are required for an accessory dwelling unit.
 - ii) An underground parking for an Attached Housing or Accessory Dwelling Units shall not be permitted within 3 m of a lot line

SCHEDULE 1710 COMPREHENSIVE DEVELOPMENT MOUNT VIEW ZONE (CD-2 MV)



NOTE: Prior to Public Hearing a dimensioned plan or a reference plan will be required